

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DOMINIC RONALDO MALONE,

Plaintiff

v.

JULIE WILLIAMS,

Defendant

Case No. 2:24-cv-00865-RFB-DJA

**ORDER**

On May 8, 2024, pro se plaintiff Dominic Ronaldo Malone, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff has neither paid the full \$405 filing fee for this matter nor filed an application to proceed *in forma pauperis*. (See ECF No. 1).

Plaintiff filed a document titled “memorandum in support of filing civil rights complaint by inmate without I.F.P. attached.” (ECF No. 1-3). In the memorandum, Plaintiff states that because of lockdowns at the prison it is difficult for him to get the documents to file an application to proceed *in forma pauperis* in a timely manner. (*Id.* at 1). Plaintiff states that his financial situation has not changed since previous cases that he has brought, and he asks the Court to allow him to proceed without filing an application to proceed *in forma pauperis*. (*Id.* at 1-2.)

Plaintiff must file a complete application to proceed *in forma pauperis* in order for this case to proceed, and his request to have the complaint filed without an application to proceed *in forma pauperis* is denied. The Court will give Plaintiff until July 15, 2024, to file a complete application to proceed *in forma pauperis*. If Plaintiff cannot file a complete application to proceed *in forma pauperis* by that deadline, he may request an extension.

**I. DISCUSSION**

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55

administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

## II. CONCLUSION

It is therefore ordered that Plaintiff has **until July 15, 2024**, to either pay the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents: (1) a completed application with the inmate’s two signatures on page 3, (2) a completed financial certificate that is signed both by the inmate and the prison or jail official, and (3) a copy of the inmate’s trust fund account statement for the previous six-month period.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a complete application to proceed *in forma pauperis* or pay the required filing fee.

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DATED this 16<sup>th</sup> day of May 2024.

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UNITED STATES MAGISTRATE JUDGE